



JOHN L. COOPER
jcooper@fbm.com
D 415.954.4410

May 24, 2016

Via ECF

The Honorable William H. Alsup
United States District Judge
United States District Court
Northern District of California
Courtroom 9, 19th Floor
San Francisco, CA 94102

Re: Oracle America, Inc. v. Google Inc., No. 3:10-CV-03561-WHA (N.D. Cal.)
Notification of Phase Two Trial

Dear Judge Alsup:

We write on behalf of the Court's Rule 706 expert, Dr. James Kearl, regarding notification of the beginning of any Phase Two trial. Dr. Kearl would like to be in attendance for opening statements in a Phase Two trial. We request that we receive notice of when the jury reaches a verdict in the Phase One trial and that any Phase Two trial begin at 7:30 a.m. on the morning of the next court day after the jury reaches a verdict of no fair use in Phase One of the trial. Both parties have agreed to this schedule.

Sincerely,

/s/ John L. Cooper

John L. Cooper

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